

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABRAHAM GARCIA-MONDRAGON,

Defendant.

NO. CR10-5220 BHS

PROTECTIVE ORDER

THIS MATTER came before the Court on the motion of the United States for a Protective Order pursuant to Federal Rule of Criminal Procedure 16(d), to limit copying and dissemination of certain discovery in the case.

The Court, being otherwise fully advised, finds that the government has shown good cause to limit the dissemination of the evidence produced in connection with the Fed.R.Evid. 702 hearing. The Court finds that this motion is not opposed and is based on good cause considering the nature of the materials and the needs of the Drug Enforcement Administration's laboratory.

NOW, THEREFORE, it is hereby ORDERED that current counsel for the defendant, subsequent counsel, and any investigators or assistants working for the defendant are prohibited from creating or disseminating in any manner copies of the discovery produced in response to Court's oral ruling at the June 21, 2011, hearing unless prior authorization is approved by the Court.

1 Nothing in this Order shall be deemed to preclude defense counsel from showing
2 the protected material covered by this Order to its investigators or assistants who are
3 participating in the defense of this case and have a need to know of the information
4 contained within the discovery.

5 Nothing in this Order shall be deemed to preclude defense counsel from showing
6 the protected material covered by this Order to the Defendant or from discussing or
7 reviewing its contents with him.


8 It is further ORDERED that defense counsel must maintain exclusive possession
9 of the discovery covered by this Order.

10 It is further ORDERED that Defendant may not possess, except while in the
11 presence of defense counsel, any copies of the discovery covered by this Order, without
12 prior authorization from this Court.

13 It is further ORDERED that, at the conclusion of the proceedings, defense counsel
14 will return the discovery to the Government and will not retain any copies of the
15 discovery for any purpose.

16 It is further ORDERED that either party may move the Court at any time to modify
17 the terms of this protective order.

18 DATED this 27th day of June, 2011.

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20 
21 BENJAMIN H. SETTLE
22 United States District Judge

23 Presented by:

24 /s/ James Schacht
25 JAMES SCHACHT
26 Special Assistant United States Attorney

27 _____
28 TIMOTHY LOHRAFF
Attorney for Defendant